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DEPT FOR DRL, EAP/CM AND L (R. HARRIS)

E.O. 12958: DECL: 08/25/2031  
TAGS: [PHUM](#) [PGOV](#) [PREL](#) [CH](#)

SUBJECT: CHINA TELLS NGO ACTIVIST JOHN KAMM HIS HUMAN  
RIGHTS DIALOGUE IS OVER

CLASSIFIED BY: CLASSIFIED BY CHARGE D'AFFAIRES DAVID SEDNEY. REASONS 1  
.4 (B/D).

¶1. (C) SUMMARY: FOREIGN MINISTRY OFFICIALS TOLD JOHN  
KAMM OF THE NGO DUIHUA FOUNDATION ON AUGUST 24 THAT  
HIS DIALOGUE ON PRISONER CASES WITH CHINESE OFFICIALS  
IS OVER AND THAT CHINA WAS "SICK AND TIRED" OF  
RESPONDING TO FOREIGNERS' REQUESTS ABOUT INDIVIDUAL  
HUMAN RIGHTS CASES. IN A SEPARATE, MUCH MORE POSITIVE  
MEETING, A SUPREME PEOPLE'S COURT JUDGE TOLD KAMM THAT  
CHINA WILL NOT BEGIN EXERCISING CENTRAL REVIEW OF  
DEATH SENTENCES UNTIL AT LEAST 2007 AND PROVIDED  
STATISTICS ABOUT PAROLE AND SENTENCE REDUCTIONS  
CONCERNING THOSE CONVICTED OF COUNTERREVOLUTIONARY  
CRIMES. END SUMMARY.

MFA SAYS IT WILL END COOPERATION WITH KAMM  
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¶2. (C) IN AN AUGUST 24 MEETING, MFA DIRECTOR GENERAL  
FOR NORTH AMERICAN AFFAIRS LIU JIEYI AND MFA DIRECTOR  
FOR HUMAN RIGHTS DONG ZHIHUA TOLD DUIHUA FOUNDATION  
EXECUTIVE DIRECTOR JOHN KAMM THAT CHINA'S COOPERATION  
WITH HIM IS ENDING. IN A STIFF MEETING, DG LIU FIRST  
SPOKE WITH KAMM TO TELL HIM THAT CHINA WAS "UNHAPPY"  
WITH THE WAY DUIHUA FOUNDATION HAS PUBLICIZED  
INFORMATION PROVIDED IN THE COURSE OF THEIR  
"UNOFFICIAL HUMAN RIGHTS DIALOGUE." AS A RESULT, THE  
MFA AND MINISTRY OF JUSTICE WOULD NO LONGER COOPERATE  
WITH KAMM OR ACCEPT HIS SUBMISSION OF LISTS REQUESTING  
INFORMATION ABOUT JAILED POLITICAL PRISONERS, DG LIU  
SAID, ACCORDING TO AN AUGUST 25 READOUT KAMM PROVIDED  
TO CDA AND POLOFFS. FOREIGNERS SHOULD PRESENT THEIR  
CONCERNS ABOUT INDIVIDUAL CASES BEFORE THE UNITED  
NATIONS OR NOT AT ALL, LIU TOLD KAMM. "THE SITUATION  
HAS CHANGED," LIU TOLD KAMM, A THEME THAT DONG  
REITERATED LATER.

¶3. (C) DG LIU THEN LEFT AND DIRECTOR DONG, READING  
FROM A SCRIPT AND REFUSING TO LOOK AT KAMM, RECOUNTED  
THAT CHINA IS "FED UP" AND "SICK AND TIRED" OF  
FOREIGNERS' REQUESTS ABOUT INDIVIDUAL HUMAN RIGHTS  
CASES. DONG, WHO KAMM DESCRIBED AS "TEARY-EYED"  
DURING THIS, TOLD KAMM THAT "THE CHINA OF TODAY IS NOT  
THE CHINA OF JUST AFTER TIANANMEN. IT DESERVES  
RESPECT." SHE EMPHASIZED THAT CHINA DID NOT WANT TO  
GIVE THE IMPRESSION THAT IT RESPONDED TO PRESSURE BY  
FOREIGNERS IN SUCH CASES. THINGS AND TIMES HAVE  
CHANGED, DONG TOLD KAMM. THEY MIGHT CHANGE AGAIN, BUT  
FOR NOW, KAMM WAS WELCOME TO RETURN TO CHINA IN THE  
FUTURE AS A TOURIST, SHE SAID.

14. (C) KAMM EXPRESSED HIS STRONG DISSATISFACTION WITH CHINA'S UNILATERAL CHANGE IN THEIR WORKING ARRANGEMENTS. HE PRESENTED A PRISONER LIST TO DONG, WHICH SHE TOOK, BUT ONLY AFTER THEY LEFT THE MEETING ROOM AND WERE ON THE WAY OUT. SHE AGREED TO PASS THE LIST TO HER SUPERIORS BUT EMPHASIZED THAT HER ACTIONS "DID NOT CONSTITUTE ACCEPTANCE" OF KAMM'S LIST. (NOTE: THE MINISTRY OF JUSTICE LAST YEAR BEGAN REFUSING TO ACCEPT KAMM'S PRISONER LISTS, WHICH HE HAD BEEN RAISING WITH CHINESE OFFICIALS FOR MORE THAN 10 YEARS. END NOTE.)

SUPREME COURT NOT YET REVIEWING DEATH PENALTY CASES  
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15. (C) CHINA'S CENTRAL SUPREME PEOPLE'S COURT (SPC) HAS NOT YET BEGUN REVIEWING ALL DEATH SENTENCES, DESPITE ANNOUNCEMENTS OF THIS REFORM MORE THAN A YEAR AGO, SPC CHIEF JUDGE GAO JINHONG TOLD KAMM IN A SEPARATE AUGUST 24 MEETING. KAMM DESCRIBED THE MEETING AS POSITIVE AND USEFUL AND GAO AS WELCOMING OF KAMM'S PAST EFFORTS AND CONTINUED INTEREST. ACCORDING TO KAMM'S READOUT, THE SPC WILL NOT BEGIN CONDUCTING REVIEWS OF ALL CAPITAL CASES UNTIL NEXT YEAR "AT THE EARLIEST." (NOTE: GAO IS THE SPC JUDGE CHARGED WITH IMPLEMENTING THIS NEW POLICY. END NOTE.)

16. (C) IN ADDITION, GAO TOLD KAMM THAT DISCUSSION OF COUNTER-REVOLUTIONARY PRISONERS AS PART OF THE US-CHINA LEGAL EXPERTS DIALOGUE HAD BEEN A WATERSHED EVENT. GAO PROVIDED INFORMATION SHOWING THAT ON AVERAGE 26 PERCENT OF CHINESE PRISONERS RECEIVE SENTENCE REDUCTIONS EACH YEAR AND FIVE PERCENT RECEIVE PAROLE, WHILE KAMM'S STATISTICS SHOW THAT COUNTERREVOLUTIONARIES RECEIVE SUCH BENEFITS FAR LESS OFTEN.  
SEDNEY